

REMARKS

Claim 16 has been canceled. Claims 1-15 and 17-25 are in this application.

Claims 1-3, 5-15, 17-20 and 22-25 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,805,763 (Lawler et al.) in view of U.S. Patent No. 6,415,099 (Berger).

Independent claim 1 recites in part the following:

storing means for storing the accepted selection of program attribute information and the escape keyword;

. . .

second acquiring means for acquiring retrieval conditions for retrieving a program comprising the stored program attribute information and the escape keyword; (Emphasis added.)

It is respectfully submitted that the combination of Lawler and Berger applied by the Examiner does not appear to disclose the above-identified features of claim 1. That is, the applied combination of Lawler and Berger does not appear to disclose "storing means for storing the accepted selection of program attribute information . . ." and "second acquiring means for acquiring retrieval conditions for retrieving a program comprising the stored program attribute information . . .".

More specifically, in explaining the above 103 rejection with regard to claim 1, the Examiner appears to assert that Lawler (and, in particular, lines 6-13 of column 2 thereof) discloses the present storing means and that Lawler (and, in particular, lines 23-28 of column 2 thereof) discloses the present second acquiring means. In response, such portions of

Lawler appear to mention an interactive program guide from which a user may select a future program and identifying the selected program with a record tag which designates the selected program for recording, and the recording of the selected program. Accordingly, such portions of Lawler appear to merely mention enabling a user to select a program and the recording of such selected program. As such, the portions of Lawler relied on by the Examiner do not appear to disclose "program attribute information" as specifically recited in claim 1.

For reasons similar to or somewhat similar to at least some of those previously described with regard to claim 1, it is also respectfully submitted that independent claims 5-8, 11-15, 18 and 22 are also distinguishable from the applied combination of Lawler and Berger.

Claims 2, 3, 9, 10, 17, 19-20 and 23-25 are dependent from one of the independent claims. Accordingly, it is also respectfully submitted that dependent claims 2, 3, 9, 10, 17, 19-20 and 23-25 are distinguishable from the applied combination of Lawler and Berger for at least the reasons previously described.

Claims 4 and 21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lawler et al. and Berger as applied to claim 1 above, and further in view of U.S. Patent No. 6,636,688 (Otana).

Claims 4 and 21 are dependent from one of independent claims 1 and 18. Accordingly, it is also respectfully submitted that dependent claims 4 and 21 are distinguishable from the applied combination of Lawler and Berger for at least the reasons previously described. The Examiner does not appear to rely on Otana to overcome the above-described deficiencies of Lawler and Berger. Accordingly, it is respectfully submitted

that dependent claims 4 and 21 are distinguishable from the applied combination of Lawler, Berger and Otana.

As it is believed that all of the rejections set forth in the Official Action have been overcome, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicants' attorney at (908) 654-5000 in order to overcome any additional rejections and/or objections which the Examiner might have.

If there are any charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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